

## DETAILED ACTION

### *Claim Objections*

1. **Claims 11 & 19** are objected to because of the following informalities: the two claims are duplicate. Appropriate correction is required.

### *Claim Rejections - 35 USC § 102*

2. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

3. **Claims 1-3,9** are rejected under 35 U.S.C. 102(b) as being anticipated by Ito et al. (5939088).

For claim 1, Ito et al. teach a floor mat laid in a small animal rearing cage for housing and rearing a small animal, said floor mat being a sheet 12 having a flexibility to a degree that can wrap the body of the small animal and a size that covers at least the entire abdomen of the small animal where the flexibility and size are such that the sheet is capable of being seamlessly folded onto itself, even after being laid down in a form where the sheet is randomly folded onto itself so as to form a fold large enough for the small animal to hide at least half of its body. See fig. 4, self explanatory regarding the flexibility of the sheet being folded onto itself.

For claim 2, Ito et al. further teach wherein the sheet has a temperature holding property to a degree that can keep the body temperature of the small animal. Col. 3,

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lines 25-42, col. 4, lines 53-65, the rayon, paper, or non-woven fabric, all of which have some degree of insulation for the animal.

For claims 3 & 9, Ito et al. further teach wherein the sheet has a water absorption property and deodorization property. Col. 3, lines 25-49, col. 4, lines 19-30.

For claim 9, Ito et al. further teach wherein the sheet has a water absorption property and deodorization property.

***Claim Rejections - 35 USC § 103***

4. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

5. **Claim 4** is rejected under 35 U.S.C. 103(a) as being unpatentable over Ito et al. as applied to claim 1 above, and further in view of Newton (2004/0163603A1).

Ito et al. are silent about wherein the sheet has a tearing resistance.

Newton teaches a pet pad cover comprising a sheet that is made out of a tear resistance material ([0011]). It would have been obvious to one having ordinary skill in the art at the time the invention was made to employ a tear resistance material as taught by Newton for the sheet of Ito et al. in order to prevent an animal from tearing the sheet.

6. **Claims 5-8, 10-11, 13-14, 16-20** are rejected under 35 U.S.C. 103(a) as being unpatentable over Ito et al. (as above) in view of Otsuji et al. (2001/0009142).

For claims 5,10 & 14, Ito et al. teach the sheet being formed of a cellulose fabric (col. 3, lines 24-45, col. 4, lines 53-65) but are silent about carboxyl group-introduced cellulose is formed in a shape of a sheet. Note that Ito et al. do teach carboxylate as a sanitary agent in col. 4, line 26.

Otsuji et al. teach a floor mat comprising an absorbent sheet/mat 1 made out of an improved cellulose fabric wherein carboxyl group-introduced cellulose is formed in a shape of a sheet ([0033][0102]). It would have been obvious to one having ordinary skill in the art at the time the invention was made to employ an improved cellulose fabric wherein carboxyl group-introduced cellulose is formed in a shape of a sheet as taught by Otsuji et al. in the sheet of Ito et al. in order to provide better absorption and deodorization of urine.

For claim 6, Ito et al. teach the pet sheet as mentioned above but are silent about a rearing box having a floor and a wall provided at a circumference of the floor so that the sheet can be placed therein.

In addition to the above, Otsuji et al. teach their mat 1 being laid in a rearing box 2 with a floor and a wall. It would have been obvious to one having ordinary skill in the art at the time the invention was made to employ a rearing box as taught by Otsuji et al. to lay the sheet of Ito et al. therein in order to confine the animal and its urine to a specific location within the box.

For claim 7, Ito et al. as modified by Otsuji et al. (emphasis on Ito et al.) further teach wherein the sheet has a temperature holding property to a degree that can keep the body temperature of the small animal. Ito et al., col. 3, lines 25-42, col. 4, lines 53-

65, the rayon, paper, or non-woven fabric, all of which have some degree of insulation for the animal.

For claim 8, it appears from fig. 4 of Ito et al. that the sheet is larger than the rearing box of Otsuji et al. since the sheet of Ito et al. is folded several times. However, if not, it would have been obvious to one having ordinary skill in the art at the time the invention was made to have the sheet of Ito et al. as modified by Otsuji et al. be larger in size than the floor area of the rearing box in order to better soak up urine or the like by provide coverage for the whole floor area, and to provide a larger cushion area for the animal.

For claims 11 & 19, Ito et al. as modified by Otsuji et al. further teach wherein the sheet has a water absorption property and deodorization property. Ito et al., col. 3, lines 25-49, col. 4, lines 19-30, and [0036] of Otsuji et al..

For claim 13, Ito et al. as modified by Otsuji et al. (emphasis on Otsuji et al. since they teach the carboxyl) further teach in [0102] the amount of dry fabric to carboxyl group as desired for the intended use. However, Ito et al. as modified by Otsuji et al. are silent about the amount being the improved cellulose fabric contains 40 to 140 millimole carboxyl group per 100 grams of dry fabric. It would have been obvious to one having ordinary skill in the art at the time the invention was made to have the improved cellulose fabric contains 40 to 140 millimole carboxyl group per 100 grams of dry fabric in the sheet of Ito et al. as modified by Otsuji et al., depending on how potent one wishes the sheet to be in regards to absorption and deodorization.

For claims 16 & 17, see explanation for claim 5 above.

For claim 18, see explanation for claim 13 above.

For claim 20, see explanation for claim 5 above.

7. **Claim 12** is rejected under 35 U.S.C. 103(a) as being unpatentable over Ito et al. as modified by Otsuji et al. as applied to claim 6 above, and further in view of Newton (as above).

Ito et al. as modified by Otsuji et al. are silent about wherein the sheet has a tearing resistance.

Newton teaches a pet pad cover comprising a sheet that is made out of a tear resistance material ([011]). It would have been obvious to one having ordinary skill in the art at the time the invention was made to employ a tear resistance material as taught by Newton for the sheet of Ito et al. as modified by Otsuji et al. in order to prevent an animal from tearing the sheet.

8. **Claims 21-24** are rejected under 35 U.S.C. 103(a) as being unpatentable over Otsuji et al. (as above).

For claim 21, Otsuji et al. teach a floor mat 1 laid in a small animal rearing cage for housing and rearing small animals, said floor mat being a sheet, wherein the sheet is formed of an improved cellulose fabric wherein carboxyl group-introduced cellulose is formed in the shape of a sheet [0033][0035][0036][0102]. In addition, from these excerpts, Otsuji et al. teach various amount of these ingredients in the sheet (especially in [0102]). However, Otsuji et al. are silent about the amount being the improved cellulose fabric contains 40 to 140 millimole carboxyl group per 100 grams of dry fabric. It would have been obvious to one having ordinary skill in the art at the time the

invention was made to have the improved cellulose fabric contains 40 to 140 millimole carboxyl group per 100 grams of dry fabric in the sheet of Otsuji et al., depending on how potent one wishes the sheet to be in regards to absorption and deodorization.

For claim 22, Otsuji et al. teach, in [0036], wherein the sheet has a water absorption property and deodorization property.

For claims 23-24, the limitations have been explained in the above teaching of Otsuji et al., thus, please see above. The box can be seen in fig. 1 of Otsuji et al. as ref.

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### ***Response to Arguments***

9. Applicant's arguments with respect to claims 1-14,16-19 have been considered but are moot in view of the new ground(s) of rejection.

### ***Conclusion***

10. Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of

the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the date of this final action.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Son T. Nguyen whose telephone number is 571-272-6889. The examiner can normally be reached on Mon-Thu from 10:00am to 5:30pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Peter M. Poon can be reached on 571-272-6891. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

/Son T. Nguyen/  
Primary Examiner, Art Unit 3643